

**UNITED STATES BANKRUPTCY COURT  
THE SOUTHERN DISTRICT OF NEW YORK**

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In re

Chapter 11

PERRY H. KOPLIK & SONS, INC.,

Bankr. Case No. 02-40648 (REG)

Debtor.

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MICHAEL S. FOX as Litigation Trustee of  
PERRY H. KOPLIK & SONS, INC.,

Adv. Pro. No. 06-1451 (REG)

Plaintiff,

v.

MICHAEL R. KOPLIK and JOYCE S. KOPLIK,

Defendants.

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**DECLARATION OF JONATHAN T. KOEVARY IN SUPPORT OF  
JOINT MOTION TO WITHDRAW THE REFERENCE**

I, Jonathan T. Koevary, am associated with Olshan Frome Wolosky LLP, counsel to plaintiff Michael S. Fox, as Litigation Trustee of Perry H. Koplik & Sons, Inc. (“Plaintiff”) in the above-captioned adversary proceeding against Michael R. Koplik and Joyce S. Koplik (“Defendants,” and together with Plaintiff, the “Parties”). I submit this declaration in support of the Parties’ Joint Motion to Withdraw the Reference dated May 19, 2015. I am authorized to submit this Declaration and, if I were called upon to testify, I could and would testify competently to the facts set forth herein.

1. Attached as **Exhibit 1** hereto is a true and correct copy of the Memorandum of Law in Support of Defendants’ Motion to Dismiss for Lack of Subject Matter Jurisdiction, filed in the United States Bankruptcy Court of the Southern District of New York on March 12, 2015.

2. Attached as **Exhibit 2** hereto is a true and correct copy of the Stipulation Regarding the Transfer of Adversary Proceeding, dated May 5, 2015.

Dated: May 19, 2015  
New York, New York

/s/ Jonathan T. Koevary  
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**Jonathan T. Koevary, Esq.**  
**Olshan Frome Wolosky LLP**